



CLOSED CASE SUMMARY

ISSUED DATE: SEPTEMBER 28, 2023

FROM: DIRECTOR GINO BETTS 
OFFICE OF POLICE ACCOUNTABILITY

CASE NUMBER: 2023OPA-0067

Allegations of Misconduct & Director's Findings

Named Employee #1

| Allegation(s): | | Director's Findings |
|----------------|---|---------------------|
| # 1 | 7.030 - POL - 2. Employees Unload Firearms Before Submitting Them to the Evidence Unit. | Sustained |
| # 2 | 7.030 - TSK - 1 Employees Accepting Non-Court Ordered Surrendered Firearms | Sustained |

Imposed Discipline

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|-------------------|
| Written Reprimand |
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This Closed Case Summary (CCS) represents the opinion of the OPA Director regarding the misconduct alleged and therefore sections are written in the first person.

EXECUTIVE SUMMARY:

The Complainant—an evidence warehouser—alleged that the named employee (NE) submitted a firearm to the Evidence Unit without following department protocol.

ADMINISTRATIVE NOTE:

On June 27, 2023, the Office of Inspector General (OIG) certified OPA's investigation as thorough, timely, and objective.

SUMMARY OF INVESTIGATION:

A computer-aided dispatch report noted that on March 24, 2022, at 7:37 AM, Community Member #1 (CM#1)—a Seattle Housing Authority (SHA) employee—called 9-1-1 to turn over several firearms that belonged to a deceased SHA tenant. An update showed that NE arrived at the incident location about five minutes after he was dispatched. NE's CAD update indicated he recovered fourteen firearms and bins of ammunition.

NE wrote the related incident report. NE wrote that he received ten handguns, three rifles, a shotgun, and six bins of ammunition and gunpowder from Community Member #2 (CM#2)—another SHA employee. CM#2 noted that the decedent planned to donate the weaponry to a police range. NE said he later ran mobile data terminal queries on the



guns, which returned clear. NE wrote that he marked the items as “found property” and entered them as evidence. NE’s body-worn video captured him seizing the weapons.

On March 24, 2023, OPA interviewed the Complainant. The Complainant told OPA that while reviewing the Evidence Unit’s “found property” for disposal, he came across the items NE submitted. Specifically, the Complainant said a box contained four soft and two hard gun cases inside a clear plastic bag and a padded envelope. He said the hard cases had several empty magazines. The Complainant said most of the soft cases were empty. However, the side pocket of a small black soft gun case contained an unaccounted-for Taurus PT738 firearm. The Complainant noted the firearm was wrapped in a black rag, and he “...almost missed it too.”

The Gun Case and Recovered Firearm



The Complainant notified his chain of command, who submitted the OPA complaint. The Complainant also told OPA that since it was listed as “found property,” there was no secondary search by the Evidence Unit.

ANALYSIS AND CONCLUSIONS:

Named Employee #1 - Allegation #1

7.030 - POL - 2. Employees Unload Firearms Before Submitting Them to the Evidence Unit.

The Complainant alleged that NE failed to follow protocol for submitting firearms to the Evidence Unit.

Employees must unload firearms before submitting them to the Evidence Unit. SPD Policy 7.030-POL-2. Employees will not submit a firearm in a sealed container. *Id.*

Here, NE inventoried several firearms and ammunition. The Complainant told OPA everything was submitted correctly to the Evidence Unit except a small firearm. The firearm NE overlooked was black, wrapped in black cloth, and inside a small black case. Without question, NE was tasked with securing and inventorying a high volume of items and predominately followed protocol. Nevertheless, the inherent danger of inadequately searching for, securing, and



accounting for weapons before submitting them to the Evidence Unit, necessitates strict compliance and leaves no acceptable marginal for error. As the OPA complaint noted, “The mishandling of this item causes several issues down the line, including personal injury or death, potentially damaging a criminal case, and delay in recording accurate information.”

Accordingly, where NE submitted a firearm in a sealed container to the Evidence Unit, OPA recommends this allegation be Sustained.

Recommended Finding: **Sustained**

Named Employee #1 - Allegation #2

7.030 - TSK - 1 Employees Accepting Non-Court Ordered Surrendered Firearms

Employees accepting non-court ordered surrendered firearms must make them safe, verify the identity of the surrendering party, obtain facts leading to the surrender, check whether it was stolen, write a “GUN-TURN IN-CIVIL” report, complete and print a property report, and submit it to the Evidence Unit. SPD Policy 7.030-TSK-1.

Here, as stated above, NE followed the protocol for all but one firearm. Nevertheless, NE’s oversight requires a Sustained finding where the danger of less than strict compliance cannot be overstated.

Accordingly, OPA recommends this allegation be Sustained.

Recommended Finding: **Sustained**